

UNITED STATES BANKRUPTCY COURT Northern District of Illinois A Page 1 of 10		PROOF OF CLAIM
Name of Debtor: FBRO Foods INC		Case Number: 09-10101 - ERW
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Colgate Commodities		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: Colgate Commodities c/o Dean Nelson HC 2 Box 17, 308 Front Avenue Colgate, ND 58046-9013		Court Claim Number: _____ (If known)
Telephone number: <u>701-945-2580</u>		Filed on: _____
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
Telephone number:		<input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed: <u>\$18,762.10</u> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input checked="" type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input checked="" type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).
2. Basis for Claim: <u>goods sold</u> (See instruction #2 on reverse side.)		<input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507 (a)(4).
3. Last four digits of any number by which creditor identifies debtor: <u>2bro</u> 3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507 (a)(5).
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Value of Property: \$ _____ Annual Interest Rate: _____ % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		<input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507 (a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507 (a)(____).
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		Amount entitled to priority: <u>\$18,762.10</u>
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
Date: <u>3/31/09</u>	Signatures: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. <u>Dean Nelson</u>	
		FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

5692

Invoice Date 01/11/2008
Due Date 02/10/2008
Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: BL/Car Car Initials Shipment # 3706

Quantity	Description	Unit Price	Total \$
440.120 Cwt	Pinto Bean Shipment	31.50 /Cwt	13,863.78

Terms: NET 30 DAYS

Sub Total 13,863.78

Amount Due 13,863.78

Ebro Foods

Invoice

5692
Customer Copy

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

5724

Invoice Date 01/30/2008
Due Date 02/29/2008
Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: BL/Car Car Initials Shipment # 3719

Quantity	Description	Unit Price	Total \$
80.000 Cwt	Great Northern Bean Shipment	40.00 /Cwt	3,200.00

Terms: NET 30 DAYS

Sub Total 3,200.00

Amount Due 3,200.00

Ebro Foods

Invoice

5724
Customer Copy

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

5725

Invoice Date 01/30/2008
Due Date 02/29/2008
Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: Pallets

Quantity	Description	Unit Price	Total \$
4.000 Each	PALLETS	8.00 /Each	32.00

Terms: NET 30 DAYS

Sub Total 32.00

Amount Due 32.00

Ebro Foods

Invoice

5725
Customer Copy

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

6315

Invoice Date 08/29/2008
Due Date 08/29/2008
Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: Finance Charge - invoices dates on or before 08/29/2008

Quantity	Description	Unit Price	Total \$
1.000	Finance Charge	307.72 /	307.72

Terms: NET 30 DAYS

Sub Total 307.72

Amount Due 307.72

Ebro Foods

Invoice

6315
Customer Copy

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

6407

Invoice Date 09/30/2008
Due Date 09/30/2008
Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: Finance Charge - invoices dates on or before 09/30/2008

Quantity	Description	Unit Price	Total \$
1.000	Finance Charge	307.72 /	307.72

Terms: NET 30 DAYS

Sub Total 307.72

Amount Due 307.72

Ebro Foods

Invoice

6407
Customer Copy

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

6615

Invoice Date 12/01/2008
Due Date 12/01/2008
Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: Finance Charge - invoices dates on or before 12/01/2008

Quantity	Description	Unit Price	Total \$
1.000	Finance Charge	307.72 /	307.72

Terms: NET 30 DAYS

Sub Total 307.72

Amount Due 307.72

Ebro Foods

Invoice

6615
Customer Copy

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

6758

Invoice Date 01/30/2009
Due Date 01/30/2009
Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: Finance Charge - invoices dates on or before 01/30/2009

Quantity	Description	Unit Price	Total \$
1.000	Finance Charge	307.72 /	307.72

Terms: NET 30 DAYS

Sub Total 307.72

Amount Due 307.72

Ebro Foods

Invoice

6758
Customer Copy

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

6847

Invoice Date 03/03/2009
Due Date 03/03/2009

Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: Finance Charge - invoices dates on or before 03/03/2009

Quantity	Description	Unit Price	Total \$
1.000	Finance Charge	307.72 /	307.72

Terms: NET 30 DAYS

Sub Total 307.72

Amount Due 307.72

Ebro Foods

Invoice

6847
Customer Copy

COLGATE COMMODITIES, INC

308 FRONT AVE.
COLGATE ND 58046
701-945-2580 Fax: 701-945-2634

Invoice

6903

Invoice Date 03/31/2009
Due Date 03/31/2009
Customer ID Ebro

Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

Shipping Loc. Main

Comments: Finance Charge - invoices dates on or before 03/31/2009

Quantity	Description	Unit Price	Total \$
1.000	Finance Charge	307.72 /	307.72

Terms: NET 30 DAYS

Sub Total 307.72

Amount Due 307.72

Ebro Foods

Invoice

6903
Customer Copy